

UNITED STATES DISTRICT COURT

for

EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

U.S.A. vs. Joseph Kirkshaw Stewart

Docket No. 5:11-CR-225-1BO

**Petition for Action on Supervised Release**

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Joseph Kirkshaw Stewart, who, upon an earlier plea of guilty to 18 U.S.C. §§ 922(j) and 924(a)(2), Possession of a Stolen Firearm, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on June 7, 2012, to the custody of the Bureau of Prisons for a term of 30 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court. Joseph Kirkshaw Stewart was released from custody on August 30, 2013, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** The defendant tested positive cocaine on his initial visit with the probation officer on September 3, 2013. When confronted with the results, the defendant admitted to using cocaine on August 31, 2013. It is requested that the conditions of supervised release be modified to include the standard drug aftercare condition so the defendant can be referred to substance abuse counseling and enrolled in our Surprise Urinalysis Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert K. Britt

Robert K. Britt  
Senior U.S. Probation Officer

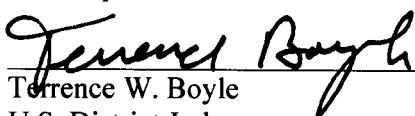
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: September 3, 2013

**ORDER OF COURT**

Considered and ordered this 3 day of September, 2013, and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge